

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of AJHEE LANICE WALLACE-
EMORY and HEAVEN CIERRA RAIN
LUCKETT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LARONDA LUCKETT,

Respondent-Appellant,

and

ERNEST LAMONT EMORY,

Respondent.

UNPUBLISHED

June 19, 2003

No. 243437

Washtenaw Circuit Court

Family Division

LC No. 99-024780-NA

Before: Bandstra, P.J., and Gage and Schuette, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence clearly demonstrated that, despite some intermittent progress, the conditions that led to adjudication – respondent-appellant's abusive and aggressive behavior, her inability to interact properly with her children, and her failure to consistently take medication prescribed to control her rather severe mental disorder – continued to exist despite three years of services, including parenting and anger management classes as well as counseling sessions aimed at improving respondent-appellant's parenting skills. The fact that these conditions continued to exist after several years of mental health treatment and parenting education made it unlikely that they would be rectified within a reasonable time considering the ages of the children. MCL 712A.19b(3)(c)(i). The evidence further demonstrated that respondent-appellant lacked the capacity to interact properly with her children and make appropriate parenting judgments when faced with difficult situations and, therefore, was unable

to provide proper care and custody for her children. MCL 712A.19b(3)(g). Evidence indicating that respondent-appellant was unable to provide a suitable home environment for raising children was also presented. This evidence clearly indicated that it was likely that the children would have been harmed if they were returned to respondent's home. MCL 712A.19b(3)(j).

Furthermore, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). While there was evidence that there existed a bond between respondent-appellant and the children, the potential benefits derived from this bond were outweighed by the risks associated with reunification. As previously noted, despite three years of services respondent-appellant failed to make any lasting progress in the critical areas of mental health counseling and parenting skills. The trial court did not err in terminating respondent-appellant's parental rights to the children.

We affirm.

/s/ Richard A. Bandstra

/s/ Hilda R. Gage

/s/ Bill Schuette